

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ERLINDO RODRIGUEZ, Jr.,
Plaintiff,
v.
RAYNA, *et al.*,
Defendants

Case No. 1:19-cv-01788-BAM (PC)

**ORDER DENYING MOTION TO PROCEED
IN FORMA PAUPERIS WITHOUT
PREJUDICE**

(ECF No. 2)

**ORDER REQUIRING PLAINTIFF TO FILE
COMPLETED APPLICATION TO PROCEED
IN FORMA PAUPERIS OR PAY FILING FEE**

FORTY-FIVE (45) DAY DEADLINE

Plaintiff Erlindo Rodriguez, Jr. (“Plaintiff”) is a county jail inmate proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. On December 23, 2019, Plaintiff filed a complaint, together with a motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (ECF Nos. 1, 2.)

Plaintiff's application to proceed *in forma pauperis* is incomplete. There is no certified copy of Plaintiff's trust account statement for the past six months attached to the application as the instructions require. Plaintiff must submit a completed form, including a certified copy of his trust account statement, if he wishes for the application to be considered.

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1 Accordingly, it is HEREBY ORDERED that:

2 1. Plaintiff's motion to proceed *in forma pauperis*, (ECF No. 2), is DENIED, without
3 prejudice;

4 2. Within **forty-five (45) days** from the date of service of this order, Plaintiff shall
5 file the attached application to proceed *in forma pauperis*, completed and signed, including a
6 certified copy of his trust account statement for the past six months, or in the alternative, pay the
7 \$400.00 initial filing fee for this action;

8 3. No extension of time will be granted without a showing of good cause; and

9 4. **The failure to comply with this order will result in dismissal of this action**
10 **without prejudice.**

11 IT IS SO ORDERED.

12 Dated: December 27, 2019

13 /s/ Barbara A. McAuliffe
14 UNITED STATES MAGISTRATE JUDGE

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